

BEFORE THE BOARD OF LAND COMMISSIONERS AND
THE DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION OF THE STATE OF MONTANA

In the matter of the amendment of ARM)	NOTICE OF AMENDMENT
36.25.801, 36.25.804, 36.25.805,)	AND REPEAL
36.25.807, 36.25.808, 36.25.810,)	
36.25.811, 36.25.812, 36.25.813,)	
36.25.815, and the repeal of ARM)	
36.25.806 regarding the land banking)	
program)	

To: All Concerned Persons

1. On February 14, 2008, the Department of Natural Resources and Conservation published MAR Notice No. 36-22-122 regarding a notice of public hearing on the proposed amendment and repeal of the above-stated rules at page 289 of the 2008 Montana Administrative Register, Issue No. 3.

2. The department has amended ARM 36.25.801, 36.25.804, 36.25.805, 36.25.808, 36.25.810, 36.25.811, 36.25.812, 36.25.813, and 36.25.815 as proposed and repealed ARM 36.25.806 as proposed.

3. The department has amended ARM 36.25.807 as proposed but with the following changes from the original proposal, matter to be stricken interlined, new matter underlined:

36.25.807 TERMINATION OF LESSEE-INITIATED LAND BANKING SALE
AFTER DEPOSIT AND PROCESSING COSTS PAID BY LESSEE

(1) remains as proposed.

(2) If the lessee cancels the sale ~~after the department has given notice of the auction~~, the lessee shall pay all costs incurred by the department in preparing the sale, including but not limited to:

(2)(a) through (4) remain as proposed.

4. No comments or testimony were received.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

/s/ Mary Sexton
MARY SEXTON
Director
Natural Resources and Conservation

/s/ Tommy H. Butler
TOMMY H. BUTLER
Rule Reviewer

Certified to the Secretary of State June 2, 2008.